

Amendments to the Drawings

The attached Figure 12 drawing sheet replaces the original Figure 12 drawing sheet. Applicant has amended Figure 12 to change the reference numeral for the "Non-Web Client" depiction from 1200 to 1250.

Attachment: Replacement Sheet

COMMENTS

The enclosed is responsive to the Examiner's Office Action mailed on September 5, 2006. At the time the Examiner mailed the Office Action claims 1-57 were pending. By way of the present response the Applicant has: 1) canceled claims 2-4, 7, 21-23, 26, 40-42, 45; 2) amended claims 1, 5, 6, 8-20, 24, 25, 27-39, 43, 44, 46-48, 50-57; and, 3) has not added any new claims. As such claims 1, 5-6, 8-20, 24, 25, 27-39, 43, 44, 46-57 are currently pending. The Applicant respectfully requests reconsideration of the present application and the allowance of claims 1, 5-6, 8-20, 24, 25, 27-39, 43, 44, 46-57.

Objections to the Drawings

In the Office Action mailed 9/5/06, the Examiner objected to Figure 12 because it recited the reference numeral "1200" to different depictions. See, Examiner's Office Action mailed 9/5/06, p.2. In response the Applicant has amended Figure 12 to change the reference numeral for the "Non-Web Client" depiction from 1200 to 1250.

In the Office Action mailed 9/5/06, the Examiner objected to the drawings " . . . because they include the following references character(s) not mentioned in the description: Figures: 6A, 6B, 8, 11A, 11B, 13, 14, 16, 18, 19A, 19G." See, Examiner's Office Action mailed 9/5/06, p.2. The Applicant does not understand the Examiner's objection. The Applicant respectfully submits that figure: 1) 6A has been referenced at least in paragraph [0087]; 2) 6B has been referenced at least in paragraph [0090]; 3) 8 has been referenced at least in paragraph [0128]; 4) 11A has been referenced at least in paragraph [0123]; 5) 11B has been referenced at least in paragraph [0123]; 6) 13 has been referenced at least in paragraph [0129]; 7) 14 has been referenced at least in

paragraph [0132]; 8) 16 has been referenced at least in paragraph [0137]; 9) 18 has been referenced at least in paragraph [0143]; 10) 19A has been referenced at least in paragraph [0159]; 11) 19G has been referenced at least in paragraph [0160].

Objections to the Specification

The Examiner has objected to the specification for (see Examiner's Office Action mailed 09/05/06, pg. 3): 1) failing to use the letter "e" in the title on page 2 and in the term "bytecode" on page 21; 2) failing to spell out the acronym for "PC" on page 2; 3) failing to spell out the acronym for "HTML" on page 46; 4) failure to recite a reference number for "DSR" on page 39; 5) failure to recite a reference number for the "non-web client" on page 50; 6) failure to recite a reference number for the "try-catch block" on page 56; 7) failure to recite a reference number for the "classid" [sic] on page 63; 8) the failure on page 17 for the term "modified byte code" to recite reference number 352; 9) referring to the term "set of tabs" with reference number 94 on page 43; 10) the sentence including the statement ". . . an external system 1120 . . . as opposed to a database server as in Figures 10a-b" on page 48; 11) reference number "1002" on page 48; 12) "UPDATE BILLIG" on page 62; 13) containing an embedded hyperlink and/or other form of browser-executable code.

In response the Applicant has: 1) has not made any amendments as the Applicant has not found any spelling errors; 2) amended paragraph [0003] to recite "personal computer (PC)"; 3) amended paragraph [0118] to recite "hyertext markup language (HTML)"; 4) amended paragraph [0102] to recite reference number 830 in reference to the DSR plug-in; 5) amended paragraph [0126] to recite reference number 1250 in reference to the non-web client; 6) amended paragraph [0138] to recite reference number 1603 in reference to the insertions of try-catch block instructions; 7)

amended paragraph [0153] to recite reference number 1801 in reference to the registering classfile; 8) not made any amendment because all instances of "modified byte code" properly refer to reference number 353; 9) amended paragraph [0112] to recite reference number 944 with respect to the term "set of tabs"; 10) amended paragraph [0123] to recite "external system 1130"; 11) amended paragraph [0124] to refer to reference number 1102 instead of reference number 1002; 12) amended paragraph [0152] to change "UPDATE BILLIG" to "UPDATE BILLING"; 13) not made any amendments because the Applicant can not locate the hyper link the Examiner is referring to.

The Applicant respectfully submits that the Specification is suitable for publication in its present form.

Objections to the Claims

The Examiner has objected to numerous dependent claims for their failure to include a comma after the recital of the depended-upon claim. Examiner's Office Action mailed 9/5/06, p. 4. In response the Applicant has amended all dependent claims to include a comma after the depended-upon claim. The Applicant respectfully submits that the basis for the Examiner's objection has been removed by way of these amendments.

Rejections to Claims Under 35 U.S.C. § 112, ¶ 2

The Examiner has rejected claims 1, 20 and 39 for improper antecedent basis with respect to the term "said classfile." The Applicant has amended each of claims 1,

20 and 39 so as to remove the improper term and therefore respectfully submits that the basis for the Examiner's rejection has been removed.

Rejections to Claims Under 35 U.S.C. § 101

The Examiner has rejected all claims as failing to be directed to statutory subject matter. The Applicant disagrees with the Examiner's initial rejection of the claims under 35 U.S.C. § 101. However, in order to improve the clarity of element c) in independent claims 1 and 18, the Applicant has amended element c) of independent claims 1, 20 and 39 to recite "that said method invokes to report and/or record information about said method". As a side-effect, the Applicant submits that the above described amendment causes the claim to be acceptable to the Examiner's definition of the requirements of 35 U.S.C. § 101. Specifically, a purpose regarding a result in the form of a report and/or record of information about a method is specifically recited. The Applicant therefore respectfully submits that the rejections under 35 U.S.C. § 101 should be removed.

Rejections to Claims Under 35 U.S.C. § 102(e)

The Examiner has rejected independent claims 1, 20 and 39 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,260,187 (hereinafter, "Cirne"). The Applicant respectfully submits that independent claims 1, 20 and 39 are not anticipated by the Cirne reference because each of Applicant's independent claims 1, 20 and 39 recite "converting a classfile into a collection of objects" yet the Cirne reference fails to disclose conversion of a classfile into a collection of objects. Nevertheless, conversions of a classfile into a collection of object is known in the art (see, Applicant's specification paragraph [0142]).

The Applicant direct's the Examiner's attention to the emphasized language of independent claim 1 provided immediately below:

1. (amended) A classfile modification method, comprising:
 - converting a classfile into a collection of objects, said collection of objects including a first object that represents a method information structure found in said classfile, said collection of objections including a second object that inherits a property that said first object has, said second object representing a bytecode instruction of a method;
 - adding a third object to said collection of objects, said third object inheriting the properties of said first object, said third object representing a bytecode instruction to be executed by said method that, when executed by said method, invokes a dispatcher to identify a plug-in module for said method that said method invokes to report and/or record information about said method;
 - adding a fourth object to said collection of objects that represents a new method information structure for said classfile, said new method information structure containing byte code instructions for a second method that registers, with said dispatcher upon loading of said classfile, an identity of said classfile's class and respective identities of methods of said classfile, said dispatcher and plug-in module being in existence prior to said loading of said classfile; and,
 - converting said collection of objects including said third object into a modified version of said classfile.

The Applicant respectfully submits that the Cirne reference fails to disclose the emphasized claim language above. The Cirne reference does not appear to be directed to the testing, monitoring and/or debugging of software code and therefore does not disclose a plug-in module that a method calls upon so that information about said method may be reported and/or recorded.

The Applicant further submits that U.S. Pub'd. Pat. App. No. 2005/0039171 (hereinafter "Avakian") is a more pertinent reference in view of the Applicant's claims than the Cirne reference. Nevertheless, the Applicant respectfully submits that independent claims 1, 20 and 39 are patentable over the Avakian reference because the Avakian reference does not appear to disclose instrumentation of a classfile to

register with a pre-existing dispatcher upon class loading nor invocation of such a dispatcher by an instrumented method of the classfile. Here, Avakian discloses that an instrumented classfile causes a plug-in module to be created upon the loading of a classfile. See, Avakian para.s [0067], [0121], [0122]. As a consequence, the Applicant's independent claims recite a dispatcher and a plug-in module that are already in existence prior to the loading of the classfile which is a property that Avakian cannot comprehend.

The Applicant therefore respectfully submits that all independent claims are allowable and respectfully requests that all claims be permitted to issue.

Because the Applicant has demonstrated the patentability of all pending independent claims, the Applicant respectfully submits that all pending claims are allowable. The Applicant's silence with respect to the dependent claims should not be construed as an admission by the Applicant that the Applicant is complicit with the Examiner's rejection of these claims. Because the Applicant has demonstrated the patentability of the independent claims, the Applicant need not substantively address the theories of rejection applied to the dependent claims.

In the further interests of efficiency, the Applicant reserves the right under MPEP 2144.03.C to cause the Examiner to find in the prior art subject matter to which the Examiner has taken Official Notice at a later time in the prosecution of the present case when the subject matter of such prior art is actually at issue.

CONCLUSION

Applicant respectfully submits that all rejections have been overcome and that all pending claims are in condition for allowance.

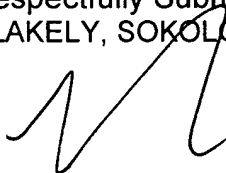
If there are any additional charges, please charge them to our Deposit Account Number 02-2666. If a telephone conference would facilitate the prosecution of this application, the Examiner is invited to contact Robert B. O'Rourke at (408) 720-8300.

Date: _____

11/2/06

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Respectfully Submitted,
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